

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

2013CV2310800769

CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

AFFIDAVIT OF SERVICE

Chris Rouen
813 Barnes Road
Seneca, SC 29672
(864) 280-1806

PLAINTIFF(S)

Vs

Honeywell
400 S. Buncombe Road
Greer, SC 29650

DEFENDANT(S)

PERSONALLY APPEARED BEFORE ME ANDREW SToudenMIRE

WHO, BEING DULY SWORN, SAYS THAT, ON THE 23 DAY OF July 2013,
S/HE SERVED Honeywell / (Amber Robinson)

THE DEFENDANT ABOVE NAMED, BY DELIVERING COPIES THEREOF TO 400 S. BUNCOMBE ROAD, GREER, SC 29650

PERSONALLY AND LEAVING THE SAME WITH

AT 10120

_____, THE PLACE OF RESIDENCE/WORK/OTHER OF SAID DEFENDANT AND
THAT THE DEPONENT IS NOT A PARTY TO THIS ACTION.

☐ UNABLE TO LOCATE AND SERVE THE ABOVE PROCESS ON THE DEFENDANT AFTER DILIGENT EFFORTS
TO DO SO. THE PROCESS IS RETURNED UNEXECUTED.

MS
DEPUTY SHERIFF/CONSTABLE/PROCESS SERVER

DATE

7-23-13

SUBSCRIBED AND SWORN TO BEFORE ME THIS

24 DAY OF 8, 2013

NOTARY PUBLIC OF SOUTH CAROLINA

Return to:

Greer Summary Court
100 South Main Street, Suite A
Greer, SC 29650
Phone: (864) 877-7464 Fax: -

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

2013CV2310800769

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SUMMONS

Chris Rouen
813 Barnes Road
Seneca, SC 29672
(864) 280-1806

PLAINTIFF(S)

Vs

Honeywell
400 S. Buncombe Road
Greer, SC 29650

DEFENDANT(S)

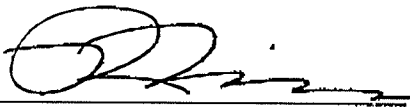
TO THE DEFENDANT(S) NAMED ABOVE:

YOU ARE SUMMONED and required to Answer the allegations and present any appropriate Counterclaims/Crossclaims to the attached Complaint/Counterclaim within THIRTY days from the first day after receipt of this Summons. Your Answer must be received by the:

Greenville County
Greer Summary Court
100 South Main Street, Suite A
Greer, SC 29650
Phone: (864) 877-7464

If you fail to Answer within the prescribed time, a Judgment by Default will be rendered against you for the amount or other remedy requested in the attached Complaint, plus interest and costs.

Given under my hand:


JUDGE Robert F. Simms**READ ATTACHED INSTRUCTIONS CAREFULLY**

July 3, 2013

2013CV2310800769

CIVIL CASE NUMBER

STATE OF SOUTH CAROLINA

COUNTY OF

CHRIS ROUEN

IN THE MAGISTRATE'S COURT

813 BARNES ROAD PLANTIFFSENECA, SC 29672 STREET ADDRESS864-280-1806 CITY, STATE ZIP

TELEPHONE

HONEYWELL VS.

COMPLAINT

400 S. BUNCOMBE ROAD DEFENDANT(S)GREER, SC 29650-1210 STREET ADDRESS864-989-3700 CITY, STATE ZIP

TELEPHONE

1. CHRIS ROUEN

the plaintiff in this civil action do make the following claims:

1. I believe the defendant, HONEYWELL
 is a resident of GREENVILLE County, and resides at 400 S. BUNCOMBE RD.
GREER, SC which is within Judge SIMMS's magisterial jurisdiction or this
 Complaint is properly filed in _____ County.

2. I make this complaint on the following:

PLEASE SEE ATTACHED DOCUMENTS PAGES 1-4

(Attach supplement if necessary)

3. I believe, because of the above information, that I am entitled to and do request a judgment
 for \$ 7,253 and/or other relief as below requested:

including any costs resulting in this action.

I state under penalty of perjury that the above is correct and truthful, except those based on my information and belief.

Dated: 6/18/13[Signature]
Signature of Plaintiff (or his attorney)

08/02/2013 15:56 8648798742
06/13/2013 14:56 8648798742GREER SUMMARY COURT
GREER SUMMARY COURTPAGE 05/11
PAGE 03/03

STATE OF SOUTH CAROLINA

COUNTY OF GREENVILLE

Chris Rouen

Name 813 BARNES ROAD

Address SENECA, SC 29672

Phone 864 280 1806 PLAINTIFF(S)

VS.

HONEYWELL

Name 400 S. Buncombe Road

Address GREER, SC 29650-1210

Phone 864 989 3700 DEFENDANT(S)

2013 CV23108 00767

CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

AFFIDAVIT AND ITEMIZATION
OF ACCOUNTS

Plaintiff, Chris Rouen, personally appeared before me, who, being duly sworn, states that he is the plaintiff in this action, and that the itemization of accounts which follows is true and correct.

He further states that no part of the sum included in the itemization below has been paid or satisfied in any fashion, and is today due and owed to him.

PLEASE See Exhibit 4
Attached

Itemization of Accounts

VIOLATION PENALTIES

\$ 6,000

April 15th certified fee

\$ 4.15

\$80 Filing Fee

\$ 80.00

6/18 certified fee

\$ 6.00

mileage to/from Greer

\$ 63.28

Time To Research/prepare

\$ 1,100

TOTAL

\$ 7,253

(Copies of bills, papers, or other proof of any of the above accounts should be attached to this document.)

Sworn to before me, this 3day of July, 20 13Denise Maith PeggMagistrate or Notary Public for
South Carolina My Commission Expires

RDW 6/18/13
PLAINTIFF (or his attorney)

Page 1 of 4

Documentation Request

Prior to trial (no later than 2 weeks prior to trial), I respectfully request:

1. Copies of ALL email correspondence between myself and Honeywell General Counsel Jeannine Lane. Ms. Lane's contact info is:

Email: Jeannine.Lane@Honeywell.com

Office Phone: 516-577-2640

Mobile Phone: 203-558-0083

Within this email correspondence is the name of a Honeywell distributor Ms. Lane identified in a phone conversation with myself on or around April 25, 2013.

2. A copy of the signed Honeywell Distributor Agreement between Honeywell and the distributor Ms. Lane identified. This agreement must be the agreement that was in force on March 22, 2013, and include any requirements by Honeywell that the distributor follow the Telephone Consumer Protection Act.

Complaint

I received a new phone number (864-886-1297) in July 2007. When I received this phone number, I immediately registered it on the Do Not Call Registry. Honeywell Security has violated the Telephone Consumer Protection Act 5 times (Exhibit 1 – Honeywell Call Log).

In October 2012, I received a recorded call stating something along the lines that the "FBI has identified a significant increase in burglaries and please press key #X to hear more. On the 1st call in October, I pushed the button. When the rep came on the line, he asked me if I would be interested in a home security system at a special price. When I asked him which company, he stated "Honeywell". I stated very strongly that I was on the DO NOT CALL LIST AND TO NOT CALL ME AGAIN! I also stated I would now track any more of these calls.

I received the same recorded calls 3 more times as follows: 12/14/12 11 AM, 1/10/13 10:30 AM, and 2/21/13 at 10:00 PM. In each call, I pushed the # to connect to a rep. Every time I asked, I was told they represented Honeywell. On All 3 calls I told them I had ALREADY TOLD THEM I WAS ON THE DO NOT CALL REGISTRY. On the 12/14 and 1/10 call, they simply hung up. On the 2/21 call, the male rep rudely stated: "then why do YOU keep pushing the button to hear about more information". He then hung up.

On 3/21/13 at 9:25 P.M., I received a call from phone # 803-343-9339. I have outlined this call in an email (Exhibit 2) I sent to the President of Honeywell Security and the admin to the President of all of Honeywell. I received no response. I also included an audio clip of the call.

On 4/15/13, I sent a certified letter (Exhibit 3) to the president of Honeywell Security threatening to sue. I received a call from Honeywell General Counsel (Ms. Jeannine Lane), but she stated Honeywell is not accepting any responsibility for these calls.

Page 2 of 4

~~Honeywell~~

12/14 11:00 AM

Jan 10 10:30 AM

Feb 21 10 pm

↑
PAST 9

Exhibit 1 - CALL Log

Page 3 of 4

Chris**From:** Chris [mailto:rcrhome@gmail.com]**Sent:** Friday, March 22, 2013 3:37 PM**To:** 'roger.fradin@honeywell.com'**Cc:** 'lois@honeywell.com'; 'jodi.larson@honeywell.com'**Subject:** Recorded profanity by your Honeywell call center employee to a person on the National 'Do Not Call List'.

Mr. Roger Fradin

CEO Honeywell Automation and Control Systems

I have attached a voice recording that has profanity in it. Be prepared so your audience knows.

My name is Chris Rouen. I live in Seneca, SC. I am on the National 'do not call list'.

Over the last year, I have received numerous calls from Honeywell regarding the purchase of security solutions. All of these are coming from 800 numbers that do not answer when I call back. In every one of these calls I have told your agents that I am on National 'do not call list' and to NOT CALL ME! You and I both know that repeated calls are violations.

Last evening (3/21) a call came through at 9:25 PM on a Columbia, SC phone # (ph 803-343-9339). When I again told your employee (Roger) to not call me, he told me to 'f' myself and hung up. I called back and 'lo and behold', I got your actual call center. I asked to speak to the supervisor. When the supervisor (Mike Fryman)) came on the line, I told him what happened and I said he had 15 minutes to have the agent call me back and apologize or I would file a complaint with the state. I received a call back 5 minutes later from Mike's boss. His name was Chris. When he called, I began recording our conversation (see attached file) and you will see your employee Chris giving me permission to record.

Please listen to the recording and provide your input. You are responsible for your contract employees. I transferred this recording from my iphone. It is an AIFF file and I was only able to listen to it using iTunes.

I retired from GE. Like GE, Honeywell is a great company. But when I continue to get these calls for over a year; even after I have been crystal clear about NOT wanting to receive them, something is out of control.

Please take this seriously and do not ignore this email.

Chris Rouen
813 Barnes Road
Seneca, SC 29672
Ph. 864-280-1806

Exhibit 2

Page 4 of 4
April 15, 2013

Mr. Roger Fradin
President/CEO Honeywell
Honeywell International
101 Columbia Road
Mailstop-M6/LM
Morristown, NJ 07962

Dear Mr. Fradin:

Attached is a copy of the email I sent you on 3/22/13. I have not received a response to my complaint about the many violations your Honeywell team has committed in their multiple calls to my home.

I am prepared to file suit in Magistrate Court against Honeywell for these documented violations. This suit will be filed 3 weeks from when my certified letter is delivered unless we can reach a settlement for these violations.

Since I am representing myself, I can be contacted as follows:

Chris Rouen
813 Barnes Road
Seneca, SC 29672
Phone: 864-280-1806
Email: rcrhome@gmail.com

Regards,

Chris Rouen

Exhibit 3

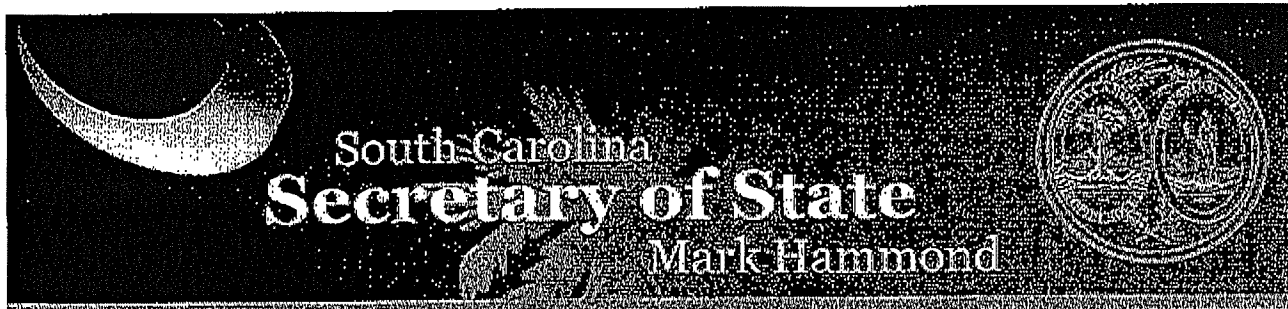
Calls	Violation of Do Not Call	Recorded FBI Call	Call after 9:00 PM	Harassment Vulgarity
October 2012 Call	X	X		
12/14/2012 11:00:00 AM	X	X		
1/10/2013 10:30:00 AM	X	X		
1/21/13 10:00 PM	X	X	X	
3/21/13 9:25 PM	X		X	X

Each X is a \$500 violation of the Telephone Consumer Protection Act. Total of 12 x's = \$6,000

Total Violation Penalties	6,000
April 15th Certified Letter	4.15
\$80 filing fee	80
Certified complaint mailing	6
Mileage to/from Greer 112 miles at .565 cents/mile	63.28
Time to research/prepare lawsuit 11 hours at \$100/hour	1,100
Total damages	7,253

Exhibit 4

South Carolina Secretary of State: Search Business Filings

**HONEYWELL, INC.**

Note: This online database was last updated on 8/1/2013 6:01:59 PM.
See our Disclaimer.

DOMESTIC / FOREIGN:**STATUS:****STATE OF INCORPORATION
/ ORGANIZATION:**

Foreign

Dissolved

DELAWARE

Profit

REGISTERED AGENT INFORMATION**REGISTERED AGENT NAME:****ADDRESS:****CITY:****STATE:****ZIP:****SECOND ADDRESS:**

C T CORPORATION SYSTEM

75 BEATTIE PLACE

GREENVILLE

SC

20601

TWO INSIGNIA FINANCIAL PLAZA

FILE DATE:**EFFECTIVE DATE:****DISSOLVED DATE:**

11/02/1951

11/02/1951

07/18/2002

Corporation History Records

CODE	FILE DATE	COMMENT	Document
Withdrawal	07/18/2002	WDR/ADD FOR SVC-101 COLUMBIA RD, MORRISTOWN NJ 07962	Image
Agent	01/17/2000	CH AGT/ADD FR-PRENTICE HALL CORP	Image
Agent	06/11/1999	Agent Change of Address	Image
Agent	12/30/1992	CH AGT/ADD FROM-C T CORP SYSTEM	Image
Foreign Amendment	06/14/1991	STOCK INCREASE AMD	Film
Foreign Amendment	06/30/1987	CERTIFICATE OF AMENDMENT	Film
Merger	03/31/1987	SUR MER W 2 CORPS NQ & 2 QUALIFIED	Film
Foreign Amendment	10/22/1985	AMD	Film
Amendment	09/05/1984	RESTATED CERT	Film
Amendment	08/30/1984	STK AMD	Film
Amendment	07/28/1981	STK AMD	Film
Amendment	07/26/1971	INCREASE	Film
Amendment	12/06/1968	DECREASE & RETIREMENT	Film